

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No. 22957 of 2005

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE H.B.ANTANI

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy
of the judgment ?

4 Whether this case involves a substantial question
of law as to the interpretation of the
constitution of India, 1950 or any order made
thereunder ?

5 Whether it is to be circulated to the civil judge
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D K KAUL - Petitioner(s)

Versus

UNION OF INDIA THRO' DIRECTOR GENERAL & 2 - Respondent(s)

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Appearance :

MR MANOJ S JOSHI for Petitioner(s) : 1,
MR HARIN P RAVAL for Respondent(s) : 1 - 3.

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA

and

HONOURABLE MR.JUSTICE H.B.ANTANI

Date : 14/02/2007

ORAL JUDGMENT

(Per : HONOURABLE MR. JUSTICE B.J.SHETHNA)

Heard learned Counsel for the parties.

The petitioner has challenged in this petition the impugned order of transfer. While admitting this writ petition on 28.11.2005 the Division Bench of this Court stayed the implementation of the said order of transfer. Because of this the petitioner continued to stay at the present station.

We are not required to give any reasons while deciding this petition as to whether the transfer order was in accordance with law or not as, Shri Mukesh Patel, learned Counsel appearing with Shri Manoj Joshi for the petitioner, stated that he will accept the order of transfer or any fresh order of transfer passed after the end of this academic year.

In view of the aforesaid statement made at the Bar the learned Assistant Solicitor General Shri Raval has no objection to the matter being disposed of in this term as the interim relief is operating in favour of the petitioner since quite some time.

In view of the above, it is made clear that the stay against the impugned order of transfer will continue till 15.6.2007. Thereafter, the petitioner will have to carry out order of transfer or any other fresh order of transfer passed by the respondents.

Rule made absolute accordingly to this extent only. No order as to costs.

(B.J.SHETHNA, J.)

(H.B.ANTANI, J.)

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